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**P-5078-C1-C1**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Mark L. Binette et al.  
Serial No.: 09/846,509  
Filed: May 1, 2001  
Group No.: 3711  
Examiner: R. Gorden  
For: Golf Ball with Multi-Layer Cover

**Commissioner of Patents and Trademarks**  
**Washington, D.C. 20231**

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION (37 CFR 1.321(b))**

**Identification Of Person(s) Making This Disclaimer**

Name(s) of disclaimant(s): Peter A. Arturi  
having an address of: Spalding Sports Worldwide, Inc.  
425 Meadow Street  
Chicopee, MA 01013

represent that I am

- ☐ an inventor of this invention  
☒ an assignee of this invention  
☐ Attorney of record in the present application

**CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile on the date shown below to the Patent and Trademark Office to Examiner R. Gorden at 703-872-9302.

Date: 12/17, 2002

Laura J. Nolan  
Laura J. Nolan

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**Identity of Assignee and Title of Disclaimant (if applicable)**

The assignee is  
Name of assignee: Spalding Sports Worldwide, Inc.  
Address of assignee: 425 Meadow Street  
Chicopee, MA 01013

Title of disclaimant authorized to sign on behalf of assignee:

Vice President, Secretary and General Counsel

**Recordal of Assignment in PTO**

XX the assignment was recorded on Reel: 010166; Frame: 0032  
on August 16, 1999;  
— authorization for recordal of the assignment is separately attached

**Extent of Interest**

The extent of my (our) interest is in  
XX the whole of this invention  
— a sectional interest in this invention as follows (here  
state the exact interest of the disclaimant(s):

**Statement Pursuant to 37 C.F.R. 3.73(b)**

I the undersigned, have reviewed all the evidentiary documents in the chain  
of title of the  
XX patent application  
— patent  
matter identified above and, to the best of my knowledge and belief, title is in the  
assignee identified above which is seeking to take action.

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**Disclaimer**

I hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

XX United States Patent No. 5,833,553, as presently shortened by any terminal disclaimer

   Any patent granted on application number:

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

XX United States Patent No. 5,833,553

   Any patent granted on application number:

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

XX United States Patent No. 5,833,553 as presently shortened by any terminal disclaimer

   Any patent granted on application number:

In the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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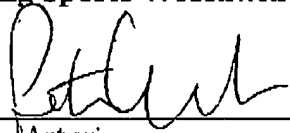
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**Fee Status***(37 CFR 1.20(d) and 37 CFR 1.321)*☒ other than a small entity -- fee \$110.00☐ small entity--fee \$55.00☐ verified statement attached☐ verified statement filed on \_\_\_\_\_**Fee Payment**☐ Attached is a check in the sum of \$ \_\_\_\_\_☐ The fee for this Disclaimer was previously paid on ; \_\_\_\_\_.☒ Charge Account **17-0150** for any fee deficiency required by this paper.☒ Charge Account **17-0150** the sum of **\$110.00**.**Declaration**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Spalding Sports Worldwide, Inc.**Date: 12/17, 2002

By:   
Peter A. Arturi  
Vice President, Secretary and General Counsel  
Spalding Sports Worldwide, Inc.  
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